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April 22, 2002

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MAY 07 2002

COPY OF PAPERS
ORIGINALLY FILED

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Continued Prosecution Patent Application Serial No. 09/284,424
Applicants: Hans P. Albrecht, *et al.*
Filed: April 9, 1999
Title: *Aspartate Ester Inhibitors of Interleukin-1 β Converting Enzyme*
Attorney Docket No.: BBI-5037CPUSCPA

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Application;
2. Request for Two-Month Extension of Time;
3. Copy of Notice to File Missing Parts of Application;
4. Checks for \$2190.00 (missing parts) and \$400.00 (extension).

Please charge any additional fees or credit any overpayments to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

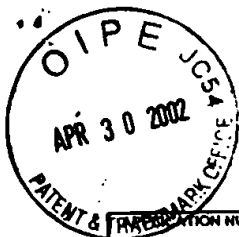
I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

April 22, 2002
Date
Peter C. Lauro
Peter C. Lauro, Esq. Reg. No. 32,360

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Peter C. Lauro
Peter C. Lauro, Esq.
Reg. No. 32,360



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

05/01/2002 MGBREM1 00000028 09284424

01 FC:131 740.00 OP
02 FC:102 924.00 OP
03 FC:103 396.00 OP
04 FC:105 130.00 OP

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DATE MAILED: MAY 07 2002

TECH CENTER 1600/2900

NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)
Filing Date Granted

The Continued Prosecution Application (CPA) request filed on 10-23-01 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

(a) Applicant must submit \$ 740.00 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

☒ 2. Additional claim fees of

\$ 924.00 (non-small entity) or \$ _____ (small entity) for 11 independent claims over 3.
\$ 396.00 (non-small entity) or \$ _____ (small entity) for 22 claims over 20.
\$ _____ (non-small entity) or \$ _____ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.

☐ 5. Other: _____

A copy of this Notice MUST be returned with the reply.

Direct the reply and any questions about this Notice to:

Shome Martinez

Examining Group

1600

(703) 30 6-4083



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Hans P. Albrecht *et al.*

Serial No.: 09/284,424

Filed: April 9, 1999

FOR: "*Aspartate Ester Inhibitors of Interleukin-1 β Converting Enzyme*"

Attorney Docket No.: BBI-5037CPUSCPA

Group Art Unit: 1623

Examiner: Leigh C. Mader

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Certificate of First Class Mailing (37 CFR 1.8(a))

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April 22, 2002

Date of Signature and of Mail Deposit

By:

Peter C. Lauro

Reg. No. 32,360

Agent for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

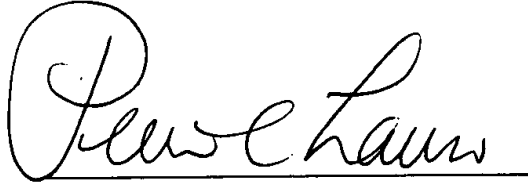
Responsive to the Notice to File Missing Parts of Non-Provisional Application dated December 21, 2001, Applicants' agent submits herewith a check in the amount of **\$2190.00** is to cover the total amount owed by Applicant including \$130.00 surcharge, \$740.00 basic filing fee, and \$1320.00 additional claim fee, based on large entity status.

A copy of the Formalities Letter is also enclosed.

- 2 -

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Peter C. Lauro", written over a horizontal line.

Peter C. Lauro, Esq.
Registration No. 32,360
Attorney for the Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: April 22, 2002